

OCT 12 2018

ALASKA JUDICIAL COUNCIL

# Alaska Judicial Council Application for Judicial Appointment

Position(s) for which you wish to be considered:

Kodiak Superior Court

Date: October 10, 2018

## I. Public Information (Questions 1-24)

### Personal

1. (a) State full name\* Stephen Boyer Wallace  
Name as it should appear on bar survey: Stephen B. Wallace

\* Unless otherwise specified, this is how your name will appear on the bar survey.

(b) Have you ever used or been known by any other name? If so, please identify.  
No

2. How long have you been a resident of the State of Alaska immediately preceding the date of this application? \*\*  
36 years 0 months  
Total 36 years 0 months

3. How long have you been engaged in the active practice of law immediately preceding the date of this application? \*\*  
29 years 3 months  
Total 29 years 3 months

### Nonlegal Education

4. State names and dates of attendance of all colleges and professional schools (other than law schools) ever attended and degrees and dates conferred. List any honors.

Oakland Community College. Sept. 1977 - Dec. 1979.

Michigan State University Aug.-Dec. 1976; Jan. 1979-June 1981. B.A. Criminal Justice

Department of Public Safety Training Academy - Sitka, AK Sept. - Oct. 1982.

\*\* See AS 22.10.090; see also 1984 Inf. Op. Atty. Gen. (July 19; 366- 624-84).

## Legal Education

5. List all law schools, dates attended and degrees conferred. If you did not receive a degree from any law school, please indicate.

Thomas M. Cooley Law School. August - December 1981.  
University of Oregon School of Law. August, 1985 - May, 1988. J.D. May, 1988.

6. (a) Did you receive any honors in law school or belong to any honorary societies or groups?  
 Yes  No If yes, please give details.

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- (b) Have you taken any CLE (continuing legal education) courses during the past five years?  
 Yes  No

Please describe or list. Please do not attach individual certificates of attendance. \_2014 to 2017 Department of Law District Attorney's Conference provided Ethics and General CLE credits. On at least two occasions I supplemented my conference attendance with additional Ethics CLE credits when I had been unable to actually attend an ethics lecture during the conference. In either 2012 or 2013 I was unable to get from Kodiak to the conference because of weather and was only able to complete the mandatory ethics credits which I did on my own. Otherwise, I generally attend the D.A.'s conference.

## Military

7. Have you served in the armed forces (reserves or otherwise)?  Yes  No  
If so, please provide the following information:

- (a) Dates of service: \_\_\_\_\_  
(b) Branch of service: \_\_\_\_\_  
(c) Rank at time of discharge: \_\_\_\_\_  
(d) Type of military discharge: \_\_\_\_\_  
(e) Awards or citations: \_\_\_\_\_

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- (f) Have you ever been refused admission to or released from any of the armed services for reasons other than honorable discharge?  Yes  No If so, state the details.

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## Nonlegal Employment

8. Describe major nonlegal working experience. If you had a business or association that has been discontinued, please note whether there are unpaid debts or claims pending litigation.

September, 1982 - August 1985: Police Officer City of Kodiak.

May, 1986 - August, 1986: Police Officer City of Kodiak.

May, 1988 - August, 1988: Public Safety Officer, North Slope Borough.

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## Legal Experience

9. Describe chronologically your legal employment since admission to law school. **Please provide dates and location of employment, name of employer, name AND CURRENT ADDRESS OF supervisor or person who can verify AND COMMENT ON YOUR employment, the reason you left the position, and a brief description of type of practice (i.e., insurance defense, criminal, appellate, general, litigation, etc.) for each position listed below.** IF YOU ARE CURRENTLY A TRIAL COURT JUDGE, PLEASE LIST YOUR PRESIDING JUDGE. FOR PAST JUDGESHIPS, PLEASE LIST THE JUDGE WHO LAST PRESIDED DURING YOUR TIME ON THE BENCH.

The Council will ask for comments from your current and former employers about your employment and your judicial qualifications. You may choose to list other persons as character and professional references in response to Question 20 of this application.

If the supervisor or contact person asks (in writing) that the letter be shared with the governor, the Council will send designated letters for each nominee. The applicant should not request a copy of the letter from the reference. References or letters not solicited by the Council are considered public (with few exceptions) and will be sent to the governor for all nominees.

**Current Employer:** State of Alaska Department of Law

Supervisor or name of contact person who can verify employment: Robert Henderson, Deputy Attorney General

Current address of this person: Criminal Division Central Office 1031 W. 4th Ave. Ste 200

City Anchorage State Alaska Zip 99501

Dates and location of Employment: From July 2017 To present City Bethel State Alaska

Description: Bethel District Attorney. Responsible for all phases of criminal prosecutions, post-conviction relief litigation, and representing DJJ. Supervise 7 assistants, 3 paralegals and 3 staff.

**Previous Employers:** *(In chronological order, most recent first)*

Employer: See attached 4 page employment history

Supervisor or name of contact person who can verify employment: \_\_\_\_\_

Current address of this person: \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Dates and Location of Employment: From \_\_\_\_\_ To \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_

Description: \_\_\_\_\_

Reason for Leaving: \_\_\_\_\_

Employer: \_\_\_\_\_

Supervisor or name of contact person who can verify employment: \_\_\_\_\_

Current address of this person: \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Dates and Location of Employment: From \_\_\_\_\_ To \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_

Description: \_\_\_\_\_

Reason for Leaving: \_\_\_\_\_

**Question No. 9**  
**Page 1 of 4**

**Judicial Application**  
**Stephen B. Wallace**

District Attorney      State Department of Law      August 2007 to July, 2017  
Kodiak District Attorney's Office      Appointed Bethel District Attorney  
Contact: Robert Henderson to verify employment (907) 269-5100  
Alaska Department of Law –Criminal Division  
1031 W. 4<sup>th</sup> Avenue, Suite 200  
Anchorage, Alaska 99501  
Supervisor: Robert Henderson, Deputy Attorney General  
Duties: Responsible for all phases of criminal prosecutions, post-conviction relief litigation, appeals, and representing the Division of Juvenile Justice. Responsible for supervising 1 assistant district attorney, 1 paralegal and 1 law office assistant.  
Reason for Leaving: \_\_\_ Appointed District Attorney in Bethel

Assistant District Attorney      State Department of Law      August, 2006 through July, 2007  
Kodiak District Attorney's Office  
Contact: Robert Henderson to verify employment (907) 269-5100  
Alaska Department of Law –Criminal Division  
1031 W. 4<sup>th</sup> Avenue, Suite 200  
Anchorage, Alaska 99501  
Supervisor: J. Michael Gray – District Attorney – deceased  
Duties: Assistant District Attorney. Responsible for any District or Superior Court criminal cases and represented Office of Children's Services in Child In Need of Aid proceedings, Division of Juvenile Justice, appeals, post conviction proceedings, Title 47 proceedings.  
Reason for Leaving: Appointed Kodiak District Attorney

Assistant District Attorney      State Department of Law      March, 2006 though July, 2006  
Palmer District Attorney's Office      Accepted transfer to Kodiak  
Contact: Robert Henderson to verify employment (907) 269-5100  
Alaska Department of Law –Criminal Division  
1031 W. 4<sup>th</sup> Avenue, Suite 200  
Anchorage, Alaska 99501  
Supervisor: Roman Kalytiak – 907-745-5027  
Palmer District Attorney's Office  
11921 Palmer Wasilla Highway, Suite 100 Palmer AK 99645  
Duties: Assistant District Attorney. Felony prosecutions before Judge Cutler and Judge Smith involving controlled substances.

Assistant District Attorney      State Department of Law      August, 2004 – March, 2006.  
Criminal Division Central Office - Anchorage      Accepted permanent assignment to Palmer DAO.  
Contact: Robert Henderson to verify employment (907) 269-5100  
Alaska Department of Law –Criminal Division

1031 W. 4<sup>th</sup> Avenue, Suite 200  
Anchorage, Alaska 99501

Duties: Itinerant prosecutor for Criminal Division Central Office. As a senior trial attorney, I was sent to provide assistance in various District Attorney's offices when the need arose. From September through October, 2004, I worked out of the Kenai District Attorney's office appearing before the Kenai, Homer and Seward courts handling all manner of criminal cases. From November 2004 through February, 2005, I worked in the Nome, Kotzebue and Bethel DA offices. Between March and July, 2005 I worked as the Statewide Fish and Game Prosecutor out of the Office of Special Prosecutions. Between July, 2005 and about March, 2008, I worked in the Palmer District Attorney's office handling matters as assigned.

Assistant	State Department of Law	March 11, 2002 – August, 2004.
District	Anchorage District Attorney's Office	Resigned to pursue private practice
Attorney	Contact: Robert Henderson to verify employment (907) 269-5100	
	Alaska Department of Law –Criminal Division	
	1031 W. 4 <sup>th</sup> Avenue, Suite 200	
	Anchorage, Alaska 99501	

Duties: March, 2002 through July 15, 2002 trial attorney in Violent Crimes Unit trial attorney in unit responsible for all aspects of criminal prosecutions, including sentence appeals and post conviction relief applications involving violent crimes. July 15, 2002 through June, 2004, supervising attorney Special Assaults Unit. Work involves being a trial attorney and supervising two trial attorneys in unit responsible for all aspects of criminal prosecutions, including sentence appeals and post conviction relief applications, involving sex offenses and related crimes.

Associate	Jamin, Ebell, Schmitt & Mason, P.C.	July 1998 – March 1, 2002
	Kodiak, AK	Accepted position with State District Attorney's office violent crimes unit.
	Contact: Matthew D. Jamin to verify employment (206)227 1646	
	116 Fairview Ave N, Apt 430, Seattle, Wa 98109	

Duties: General practice law firm engaged in representing clients in criminal and civil cases.

Assistant	State Department of Law	November, 1997 - May 1998
Attorney	Anchorage Attorney General's Office	Left to pursue private practice
General	Anchorage, AK	
	Human Services Section	
	Contact: Ed Sniffen to verify employment (907) 269-5100	
	Deputy Attorney General – Civil Division	
	Alaska Department of Law – Civil Division	
	1031 W. 4th Avenue, Suite 200	
	Anchorage, AK 99501-1994	

Duties: Assigned Child Protection Cases involving allegations of sexual abuse. Also responsible

for litigation of Delinquency prosecutions in Anchorage and Kenai.

District Attorney	State Department of Law Kodiak District Attorney's Office	May 1993 - Nov. 1997 Accepted transfer to Human Services section Anch. AGO upon developing conflict of interest.
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Contact: Robert Henderson to verify employment (907) 269-5100  
Alaska Department of Law –Criminal Division  
1031 W. 4<sup>th</sup> Avenue, Suite 200  
Anchorage, Alaska 99501

Duties: Kodiak District Attorney's office is responsible for all phases of Superior and District Court litigation in criminal cases including all aspects of felony litigation, post-conviction relief actions and sentence appeals to the Court of Appeals. In addition, the office is responsible to represent the Division of Family and Youth Services Child Protective Services office and the Juvenile Probation Office litigating Child In Need of Aid and Delinquency cases respectively.

Assistant District Attorney	State Department of Law Anchorage District Attorney's Office	June, 1992 - May 1993 Appointed District Attorney in Kodiak
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Contact: Robert Henderson to verify employment (907) 269-5100  
Alaska Department of Law –Criminal Division  
1031 W. 4<sup>th</sup> Avenue, Suite 200  
Anchorage, Alaska 99501

Duties: Member of Felony trial unit responsible for felony prosecutions before Judge Gonzalez. Assigned to handle travel calendars in Cordova, Dillingham, King Salmon/Naknek. Otherwise responsible for sentence appeals in felonies, post conviction relief actions and probation revocation proceedings.

Assistant District Attorney	State Department of Law Bethel District Attorney's Office	August, 1990 - May 1992 Transferred to Anchorage District Attorney's office
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Contact: Robert Henderson to verify employment (907) 269-5100  
Alaska Department of Law –Criminal Division  
1031 W. 4<sup>th</sup> Avenue, Suite 200  
Anchorage, Alaska 99501

Duties: Responsible for all phases of Superior and District Court litigation in criminal cases including all aspects of felony litigation, post-conviction relief actions and sentence appeals to the Court of Appeals.

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**Judicial Application**  
**Stephen B. Wallace**

Assistant State Department of Law July, 1989 - July 1990  
District Palmer District Attorney's Office Transferred to Bethel District  
Attorney Attorney's office  
Contact: Robert Henderson to verify employment (907) 269-5100  
Alaska Department of Law –Criminal Division  
1031 W. 4<sup>th</sup> Avenue, Suite 200  
Anchorage, Alaska 99501

Duties: Responsible for all phases of District Court litigation in criminal cases and administrative appeals to the Superior court.

Superior Hon. Victor D. Carlson Sept. 1988 - June 1989  
Court Anchorage Superior Court Left to Work for Dept. of Law  
Law Clerk 303 K. Street  
Anchorage, AK 9501  
Contact: Victor D. Carlson to verify employment (907) 276-2359  
1408 W 10th Ave  
Anchorage, AK 99501

Duties: Law clerk to Judge Carlson regarding Domestic Relations cases. Prepared cases and had contact with any Anchorage Superior Court or District Court Judge assigned to Domestic Relations cases.

Law Clerk Jamin, Ebell, Bolger & Gentry, P.C. May 1987 - August 1987  
323 Carolyn Street Left to return to Law School  
Kodiak, Ak 99615  
Contact: Matthew D. Jamin to verify employment (206)227 1646  
116 Fairview Ave N, Apt 430, Seattle, Wa 98109  
Duties: Law clerk to Matthew Jamin and Joel Bolger in various criminal cases.



**Previous Employers (continued)**

Employer: \_\_\_\_\_  
Supervisor or name of contact person who can verify employment: \_\_\_\_\_  
Current address of this person: \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
Dates and Location of Employment: From \_\_\_\_\_ To \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_  
Description: \_\_\_\_\_  
Reason for Leaving: \_\_\_\_\_

Employer: \_\_\_\_\_  
Supervisor or name of contact person who can verify employment: \_\_\_\_\_  
Current address of this person: \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
Dates and Location of Employment: From \_\_\_\_\_ To \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_  
Description: \_\_\_\_\_  
Reason for Leaving: \_\_\_\_\_

Employer: \_\_\_\_\_  
Supervisor or name of contact person who can verify employment: \_\_\_\_\_  
Current address of this person: \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
Dates and Location of Employment: From \_\_\_\_\_ To \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_  
Description: \_\_\_\_\_  
Reason for Leaving: \_\_\_\_\_

Employer: \_\_\_\_\_  
Supervisor or name of contact person who can verify employment: \_\_\_\_\_  
Current address of this person: \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
Dates and Location of Employment: From \_\_\_\_\_ To \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_  
Description: \_\_\_\_\_  
Reason for Leaving: \_\_\_\_\_

Employer: \_\_\_\_\_  
Supervisor or name of contact person who can verify employment: \_\_\_\_\_  
Current address of this person: \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
Dates and Location of Employment: From \_\_\_\_\_ To \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_  
Description: \_\_\_\_\_  
Reason for Leaving: \_\_\_\_\_

10. During your legal career, please indicate (approximately) the following:

(a) Percent of your practice that was: Civil 10  
Criminal 90  
Other \_\_\_\_\_  
= 100%

Comment: \_\_\_\_\_

(b) Percent: State 100  
Federal \_\_\_\_\_  
Other \_\_\_\_\_  
= 100%

Comment: \_\_\_\_\_

(c) Of practice in state courts, percent: Supreme Court \_\_\_\_\_  
Court of Appeals 10  
Superior Court 70  
District Court 20  
= 100%

Comment: \_\_\_\_\_

(d) Frequency of appearance in court:  
 Regularly       Occasionally       Infrequently       Not at All

Comment: Daily

(e) Number of trials (by court or jury) you conducted:  
 None       1-5       6-15       16-30       31 or more

Comment: Superior and District Court

(f) Percent of these trials which were: Jury 90      Non-Jury 19

Comment: \_\_\_\_\_

(g) Approximate number of appellate matters handled: 24+

Comment: Mostly sentence appeals with some merit appeals.

(h) Approximate number of arbitrations or administrative hearings:  
 None       1-5       6-15       16-30       31 or more

Briefly describe type of matters heard: \_\_\_\_\_

(i) Please briefly summarize any *pro bono* work that you have done and indicate whether the work was done through a *pro bono* legal service provider (e.g. Alaska Legal Services, Alaska Network on Domestic Violence and Sexual Assault, etc.).

Periodic training of law enforcement officers while with the Department of Law.  
Pro bono representation of homicide defendant in immigration removal proceedings while in private practice with Jamin, Ebell, Schmitt and Mason.

11. List all the courts and administrative tribunals in the United States or elsewhere to which you are or have been admitted to practice, and the dates of admission.  
United States District Court - Alaska. Admitted June 27, 1988.  
State of Alaska Bar. Admitted June 27, 1988.

**Public Service**

12. List bar associations, and sections and committees of which you are or have been a member or officer.  
Alaska Bar Association  
Kodiak Bar Association  
Anchorage Bar Association

13. List legal publications, if any (give title, subject and date of publications). Please include publications you have co-authored and the name(s) of the co-author(s).  
None.

14. Have you ever applied for a judgeship?  Yes  No  
 Please list dates and judgeships applied for, as well as whether you were nominated by the Judicial Council and appointed.

Judgeship	Date	Nominated By Council (Y/N)	Appointed By Governor (Y/N)
Anchorage Superior Court	9/29/02	N	N
Kodiak Superior Court	7/20/03	Y	N
Palmer District Court	10/10/03	Y	N
see attached "judicial applications" page			

**Prior Judicial Applications**

<b><u>Judgeship</u></b>	<b><u>Date</u></b>	<b><u>Nominated by Council</u></b>	<b><u>Appointed by Governor</u></b>
Anchorage Superior Court	8/8/04	N	N
Anchorage District Court	12/5/04	N	N
Homer District Court	2/27/05	Y	N
Anchorage District Court	2/27/05	Y	N
Kodiak Superior Court	10/2/2008	Y	N

15. Have you ever held public or political office, elective or appointive?  Yes  No

If so, state office, manner selected, and when and where held.

State District Attorney - Kodiak; appointed May, 1993, resigned Nov. 1997.

Attorney member Violent Crimes Compensation Board; apptd Aug 1998, resigned Feb.02

~~State District Attorney - Kodiak; appointed Aug. 2007, until appointed Bethel DA July 2017~~

State District Attorney - Bethel; appointed July 2017 - presently serving.

16. Please provide the Council with information that you would like the Council to consider about other legal and nonlegal organizations and clubs of which you are a member, including civic, charitable, religious, educational, social and fraternal organizations. Please indicate whether you participate in the organization's activities, or simply hold a membership. Your involvement in the community is one of the criteria the Council uses in its evaluations. The Council does not use affiliation with a particular group as a criterion except to the extent that it might raise questions of conflict of interest or would affect an applicant's ability to impartially apply the law.

Community Baptist Church - Kodiak. I regularly attended from about 2011 and was a member. I believe at this writing because i have not been able to regularly attend for over a year, under the Church Constitution, I am no longer an eligible voting member.

During the mid 1990's until 2002 I was a member of the Kodiak Morning Rotary club.

17. Indicate (Yes or No) whether you have ever:

(a) been arrested, charged with, pled guilty or *nolo contendere* to, or been convicted of the violation of any law or ordinance, or been requested to appear before any prosecuting or investigative agency in connection with any matter in any jurisdiction, including all traffic offenses, unless the fine was less than \$50 and there were no other sanctions?

Yes  No

(b) failed to answer any summons or other legal process served upon you personally at any time?  Yes  No

(c) as a member of any armed forces, been the subject of any charges which may have resulted in disciplinary action or court martial?  Yes  No

- (d) had any proceedings brought to have you declared a ward of any court or adjudged an incompetent?  Yes  No

If your answer is "yes" to any part of this question, state the facts in detail. Give the name and place of the court or agency, dates of the beginning and end of any action or proceeding, case numbers, and the judgment or other disposition.

I mention the following two instances because I cannot recall the specifics of what fine may have been imposed. I had a speeding ticket in northern Michigan in 1975 or 1976. I am certain there was a fine but I do not recall the amount so I cannot affirm that it was less than \$50 but I believe it was.

Between 1979 and 1981 I was cited in Lansing, Michigan for driving straight through restricted turn sign. I cannot recall whether I was fined but believe if I was it was less than \$50. Because i cannot recall, I am unable to affirm that it was less than \$50.

18. (a) Has a tax lien or other collection procedure ever been instituted against you by federal, state or local authorities?  Yes  No

In particular, have you been the subject of any proceeding, criminal or civil, initiated against you by the Internal Revenue Service or a State Tax Office?  Yes  No  
If so, give particulars, including case numbers.

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- (b) Have you ever been sued by a client?  Yes  No

If so, give particulars, including case numbers.

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- (c) Have you ever been a party in any other legal proceeding?  Yes  No

If so, give the particulars. Include all legal proceedings in which you were a party in interest, including petitioner or respondent in dissolution or divorce proceedings; a material witness; a named co-conspirator or correspondent; and subject or witness in any grand jury proceedings. Do not list proceedings in which you were sued only in a representative capacity (e.g. guardian ad litem, or as Commissioner of Natural Resources).

Pomeroy v Wallace, 128 S.Ct. 21, 168, 168 L.Ed.2d 797 (Aug. 2007). Pomeroy sued me personally as the Assistant District Attorney who filed sexual abuse of minor charges against him. His complaint was dismissed by the U.S. District Court. The decision was affirmed by the 9th Circuit and a petition for Cert was denied. The petition for rehearing was denied in the foregoing citation.

Wassillie v Donaldson et al, 4BE-92-56Civil. (see attached addendum 18c.

Mr. Wassillie with other family members sued named Bethel State Troopers, Bethel State Child Protective Services and other named defendants. I was asked to submit an affidavit by the defense because I had prosecuted Mr. Wassillie along with 3 of his brothers for sexual abuse of a minor. The criminal case against Teddy Wassillie was subsequently dismissed but the co-defendants were each convicted. I do not know the outcome but the case is closed.

Seek v. State, 3KO-98-277 CI, petition for post conviction relief. I was asked to submit an affidavit as the trial prosecutor who convicted Mr. Seek of Murder in 3KO-S95-45 Cr.

19. State the nature and disposition of any of the following actions which apply to you:

- (a) Are there any unsatisfied judgments against you?  Yes  No  
Have you ever defaulted in the performance of any court-imposed obligation, including payment of alimony or child support or compliance with another court order or decree?

Yes  No

In each case, list the name and address of the creditor, the court which rendered the judgment, the case number, the date, the amount of the judgment, and the circumstances on which such claim was based.

Has property owned by you been either judicially or non-judicially foreclosed?

Yes  No

Please state the circumstances and outcome of any such unsatisfied or default judgment, or of any foreclosure.

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- (b) Have you ever made an assignment for the benefit of creditors?  Yes  No  
Have you ever filed any petition in bankruptcy?  Yes  No  
If so, state the circumstances, case number, and the outcome.

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## References and Counsel Questionnaires\*

- \* **Please Note:** Letters of reference from these persons are confidential and will not be given to the applicant. If the reference asks (in writing) that the letter be shared with the governor, the Council will send designated letters and counsel questionnaires for each nominee. The applicant should not request a copy of the letter from the reference. (You **should not** list the Chief Justice of the Alaska Supreme Court.)

References or letters not solicited by the Council are considered public (with few exceptions) and will be sent to the governor for all nominees.

20. (a) List the names, addresses, **including zip codes**, and **phone numbers** of two persons whom the Judicial Council may contact who can discuss your general character and background.

Name: Sidney K. Billingslea

Address: 9300 Atelier Drive

City/State/Zip: Anchorage, AK 99507 Phone: 907-529-4039(c)

Name: Donna McCready

Address: 645 G Street Number 100 PMB 585

City/State/Zip: Anchorage, AK 99501 Phone: 907-229-0308(c)

- (b) List the names, addresses, **including zip codes**, and **phone numbers** of three other persons whom the Judicial Council may contact who can discuss your professional competence and qualifications for a judicial position.

Name: Dwayne McConnell

Address: 3933 W. 37th Court

City/State/Zip: Anchorage, AK 99517 Phone: 907-545-3824(c)

Name: Matthew D. Jamin

Address: 116 Fairview Ave. N, Apt. 430

City/State/Zip: Seattle, WA 98109 Phone: 206-227-1646

Name: Susan S. McLean

Address: 8 Saint Jude Drive

City/State/Zip: Los Lunas, New Mexico 87031 Phone: 505-301-2287

**References and Counsel Questionnaires (continued)**

(c) List the names, addresses, **including zip codes, and suite numbers where applicable**, of each attorney involved in your three most recent cases that have gone to trial. Please do not list cases pending in the trial courts. (Applicants who are currently judges should list the three most recent trials they presided over.) List only those cases that have gone to trial within the past three years. Please include the judge's name and case names and numbers. (*Attach additional pages if necessary.*)

**Case Number 1**

**Case Name:** State of Alaska **Case Number:** 4BE-`6-00414CR  
**v.** Nace Paul **Judge Name:** Dwayne McConnell

**Attorneys Involved:**

Name: <u>Terrance Haas, Asst Public Defender</u>	Name: _____
Address: <u>460 Ridgecrest Dr, Suite 217</u>	Address: <u>Mail: P.O. Box 10</u>
City, State, Zip: <u>Bethel, AK 99559</u>	City, State, Zip: <u>Bethel, AK 99559</u>
Name: _____	Name: _____
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____

**Case Number 2**

**Case Name:** State of Alaska **Case Number:** 3KO-16-12CR  
**v.** Steven Ridenour **Judge Name:** Steve Cole

**Attorneys Involved:**

Name: <u>Emily Jura, Asst Public Defender</u>	Name: _____
Address: <u>900 W. 5th Ave, Suite 200</u>	Address: _____
City, State, Zip: <u>Anchorage, AK 99501</u>	City, State, Zip: _____
Name: _____	Name: _____
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____

**Case Number 3**

**Case Name:** State of Alaska **Case Number:** 3KO- 16-00093CR  
**v.** Doyle Dollarhide **Judge Name:** Steve Cole

**Attorneys Involved:**

Name: <u>Emily Jura, Asst Public Defender</u>	Name: _____
Address: <u>900 W. 5th Ave, Suite 200</u>	Address: _____
City, State, Zip: <u>Anchorage, AK 99501</u>	City, State, Zip: _____
Name: _____	Name: _____
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____

## References and Counsel Questionnaires (continued)

(d) List the names, addresses, **including zip codes, and suite numbers where applicable**, of each attorney involved in your three most recent cases that did not go to trial but in which you did significant work. Please do not list cases pending in the trial courts. (Applicants who are currently judges should list the three most recent cases they presided over that did not go to trial but in which they did significant work.) Please include the judge's name and case names and numbers. (*Attach additional pages if necessary.*)

### Case Number 1

**Case Name:** ITMO: D.W. **Case Number:** 4BE-18-14DL  
**v.** \_\_\_\_\_ **Judge Name:** Raymond Funk

#### Attorneys Involved:

Name: <u>Winter Montgomery, Asst. Pub. Advocate</u>	Name: _____
Address: <u>460 Ridgecrest Dr., Ste 219</u>	Address: <u>Mail: P.O. Box 2129</u>
City, State, Zip: <u>Bethel, AK 99559</u>	City, State, Zip: <u>Bethel, AK 99559</u>

Name: _____	Name: _____
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____

### Case Number 2

**Case Name:** State of Alaska **Case Number:** 4SM-17-00031CR  
**v.** Brian Fancyboy **Judge Name:** Dwayne McConnell

#### Attorneys Involved:

Name: <u>Nathaniel Hainje, Asst. Public Defender</u>	Name: _____
Address: <u>460 Ridgecrest Dr, Ste 217</u>	Address: <u>Mail: P.O. Box 10</u>
City, State, Zip: <u>Bethel, AK 99559</u>	City, State, Zip: <u>Bethel, AK 99559</u>

Name: _____	Name: _____
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____

### Case Number 3

**Case Name:** State of Alaska **Case Number:** 4AK-17-00064CR  
**v.** Daniel Kelila **Judge Name:** Nathaniel Peters

#### Attorneys Involved:

Name: <u>Terrance Haas</u>	Name: _____
Address: <u>460 Ridgecrest Dr, Suite 217</u>	Address: <u>Mail: P.O. Box 10</u>
City, State, Zip: <u>Bethel, AK 99559</u>	City, State, Zip: <u>Bethel, AK 99559</u>

Name: _____	Name: _____
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____

## Writing Sample

21. Attach one example of a brief, memorandum of law, or legal opinion or similar example of legal writing (10-20 pages in length; 15-25 pages for appellate positions) prepared solely by you within the last five years. Please choose a sample that reflects your ability to do legal research and analysis. If you do not have a good sample of this length, include an excerpt from a longer writing. Make sure the sample contains sufficient facts to make it understandable. (Some reply briefs may not meet these requirements.)

Please do not submit: (a) coauthored writing samples, (b) samples with confidential information unless redacted to remove such information, (c) longer writing samples.

22. Has any **public** sanction been imposed against you in response to a complaint, charge or grievance brought against you as an attorney or a judge?  Yes  No

Have formal grievance procedures been brought against you?  Yes  No

See Bar Rule 22(b) & (e) concerning public bar grievance procedures against attorneys, and AS 22.30.011(b) and .060(b)(3) concerning public disciplinary grievance procedures against judges.

Have you ever been held in contempt of court?  Yes  No

Have you ever been fined or otherwise sanctioned by a judge?  Yes  No

In each case, state in detail the circumstances and the outcome.

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## Additional Comments (Non-Confidential)

23. Please make any additional comments that you wish to bring to the Council's attention about your experience and suitability for this judgeship.
- In 1982 I moved from Michigan to Kodiak to work as a police officer after obtaining my B.A. in Criminal Justice from Michigan State University. Since then I have worked in the justice system throughout the State in a wide variety of roles. I have been a police officer and trial attorney in bush Alaska. I have been in court as a law clerk and witness. I have appeared as a prosecutor and defense counsel in criminal cases, as public and private in Child in Need of Aide proceedings, Delinquency actions, administrative proceedings and in civil matters involving divorce and child custody. I also have experience in estate planning and contracts.
- I was a police officer in Kodiak for three years before going to law school. I worked for the North Slope Borough as a police officer following law school because I did not have the

### Additional Comments (Continued)

funds to take the Bar exam following law school. That gave me an opportunity to live in Barrow and experience village life in Wainwright. I returned to Anchorage to clerk for the Superior Court as the family law clerk in Fall, 1988. In 1989 worked in the Palmer D.A.'s office as a misdemeanor trial attorney for a year before transferring to the Bethel DA's office. I worked in Bethel two years followed by a year in Anchorage before being appointed the District Attorney in Kodiak in 1993. In 1997 I left the DA's office to work in the Human Services section of the AG's office before entering private practice in Kodiak with JESM in 1998. From 1998-2002, I served as an attorney member on the Violent Crimes Compensation Board. In 2002 I returned to public practice in the Anchorage DA's office where I served two years as the supervisor of the sexual assault prosecution supervisor before leaving the office. From September 2004 to July 2005 I worked as an itinerant prosecutor appearing before courts throughout the state including Kenai, Homer, Seward, Naknek, Dillingham, Bethel, Nome, and Kotzebue. From March until June 2005 I filled in as the Statewide fish and game prosecutor. From July 2005 until August 2006 I worked in the Palmer DA's office before returning to Kodiak as an assistant District Attorney. I was re-appointed the Kodiak DA in August 2007.

I have conducted jury trials both simple and complex in Palmer, Bethel, Aniak, Anchorage, (please see addendum Q23).

24. Please indicate whether you prefer to be interviewed in public session or in private session. Your choice of a public or private interview has no bearing on the Council's determination of your qualifications or on the questions the Council may ask. You may change your request in writing at any time before the interview starts.

Public Interview

Private Interview

25. Please prepare a brief biographical statement (**limited to 150 words**) about your background, legal education, and legal experience. Please do not list personal information about minor children. Your picture and a copy of this statement will be scanned and posted on the Council's website after the application deadline. In its bar survey, the Council will invite attorneys to review the information if they wish to become more familiar with your background and experience. Use the form on the following page for your biographical statement. Please leave the box at the top empty. The Council will use this space for your scanned picture. ***To be fair to all applicants, the Council will strictly enforce the 150 word limit.***

If you object to the posting of your picture on the Council's website, please indicate your objection below. If you object, we will not post your picture, although you still must submit two photographs of yourself with your application.

If you check this box we will not post your picture on the website.

Saint Mary's (when it was a trial site), Kodiak, Kenai, and Homer. I have handled both sides of criminal cases. I have handled both sides of delinquency and Child in Need of Aid proceedings. I have worked on domestic relations cases as law clerk and as counsel for the litigants. I have seen both sides of child custody investigations. I have conducted police investigations and challenged the legal sufficiency of investigations as defense counsel. I have testified as a witness and examined witnesses. I have conducted all aspects of a criminal prosecution for the State and challenged the legal sufficiency of cases as defense counsel. I have arrested people, guarded them in court, and transported them between cities. As defense counsel I have worked to get them released.

In short, my experiences have provided me with a well developed understanding of the business and people addressed by a Superior Court judge. My goal if appointed is to encourage public confidence in the judiciary by remaining faithful to the law and striving to be fair, compassionate, and reasoned in my decision making.

# Biographical Statement

Name Stephen B. Wallace

Position(s) for which you wish to be considered:

Kodiak Superior Court

*Please leave this area blank*

Date: October 12, 2018

I received my B.A. in Criminal Justice from Michigan State University in 1981. I moved to Kodiak in 1982 and worked three years as a police officer before attending law school in Oregon. Since 1982, I have lived and worked in the justice system throughout the State but have always returned to Kodiak. It is my home. I have appeared as counsel in both sides of criminal cases, Child Protection cases, delinquency actions, and have experience with administrative proceedings and civil matters involving divorce, child custody, estate planning and contracts. I have appeared in courts from Barrow to Kodiak and completed a variety of jury trials. I possess a working knowledge of the rules of evidence and procedure. My goal if appointed is to encourage public confidence in the judiciary by remaining faithful to the law, while striving to be fair, compassionate and reasoned in any decisions.